

Title 17. California Air Resources Board

NOTICE OF PUBLIC HEARING TO CONSIDER THE AMENDMENT OF REGULATIONS REGARDING STATIONARY SOURCE TEST METHODS

The Air Resources Board (the “Board” or “ARB”) will conduct a public hearing at the time and place noted below to consider amending twenty existing test methods for determining emissions from nonvehicular, or stationary sources.

DATE: August 27, 1998

TIME: 9:30 a.m.

PLACE: Air Resources Board
Board Hearing Room, Lower Level
2020 L Street
Sacramento, California

This item will be considered at a two-day meeting of the Board, which will commence at 9:30 a.m., August 27, 1998, and may continue at 8:30 a.m., August 28, 1998. This item may not be considered until August 28, 1998. Please consult the agenda for the meeting, which will be available at least 10 days before August 27, 1998, to determine the day on which this item will be considered.

This facility is accessible to persons with disabilities. If accommodation is needed, please contact Mr. George Lew at (916) 263-1630, or TDD (916) 324-9531 or (800) 600-8326 for TDD calls from outside of the Sacramento area, by August 13, 1998.

INFORMATIVE DIGEST OF PROPOSED ACTION AND PLAIN ENGLISH POLICY STATEMENT OVERVIEW

Sections Affected: Proposed amendment of Title 17, California Code of Regulations (CCR), Sections 94101, 94102, 94117, 94103, 94104, 94118, 94119, 94106, 94107, 94108, 94109, 94110, 94120, 94121, 94122, 94111, 94112, 94137, 94113, 94123, and 94124, which incorporate by reference the affected stationary source emission test procedures.

Background

Local air pollution control districts have the primary responsibility in California for controlling air pollution from nonvehicular, or stationary, sources. All districts have adopted regulations establishing emission standards for stationary sources. The Air Resources Board is mandated by Section 39607(d) of the Health and Safety Code to adopt test procedures to determine compliance with ARB and district nonvehicular emission standards. Since 1983, the Board has adopted 48 test methods which are applicable to a wide variety of stationary sources. The adopted test methods are referenced in Sections 94101-94147, Title 17, California Code of

Regulations (CCR). However, if a district has established a test method for a specific source, Section 94100 of the CCR directs that the district test method shall be used to determine compliance with the district's emission limit for that source. In addition to their use in determining compliance with emission limitations, adopted test methods are used to evaluate air pollution control equipment, support control measure development for the criteria and toxic pollutant stationary source programs, and develop emission inventories. ARB test methods are required to be used in the preparation of the air toxic emission inventory mandated by the Air Toxics "Hot Spots" Information and Assessment Act of 1987 (Stats. 1987, Chapter 1252, Health and Safety Code section 44300 et seq.).

Description of the Proposed Regulatory Action

The ARB staff proposes the amendment of twenty existing incorporated source test methods which are listed below:

Section 94101	Method 1	Sample and Velocity Traverses for Stationary Sources
Section 94102	Method 2	Determination of Stack Gas Velocity and Volumetric Flow Rate (Type S Pitot Tube)
Section 94117	Method 2A	Direct Measurement of Gas Volume through Pipes and Small Ducts
Section 94103	Method 3	Gas Analysis for Carbon Dioxide, Oxygen, Excess Air, and Dry Molecular Weight
Section 94104	Method 4	Determination of Moisture Content in Stack Gases
Section 94118	Method 5A	Determination of Particulate Emissions from the Asphalt Processing and Asphalt Roofing Industry
Section 94119	Method 5E	Determination of Particulate Emissions from the Wool Fiberglass Insulation Manufacturing Industry
Section 94106	Method 6	Determination of Sulfur Dioxide Emissions from Stationary Sources
Section 94108	Method 8	Determination of Sulfuric Acid Mist and Sulfur Dioxide Emissions from Stationary Sources
Section 94109	Method 10	Determination of Carbon Monoxide Emissions from Stationary Sources
Section 94110	Method 11	Determination of Hydrogen Sulfide Content of Fuel Gas Streams in Petroleum Refineries

Section 94120	Method 12	Determination of Inorganic Lead Emissions from Stationary Sources
Section 94121	Method 13A	Determination of Total Fluoride Emissions from Stationary Sources (SPADNS Zirconium Lake Method)
Section 94122	Method 13B	Determination of Total Fluoride Emissions from Stationary Sources (Specific Ion Electrode Method)
Section 94111	Method 15	Determination of Hydrogen Sulfide, Carbonyl Sulfide and Carbon Disulfide Emissions from Stationary Sources
Section 94112	Method 16	Semicontinuous Determination of Sulfur Emissions from Stationary Sources
Section 94137	Method 16A	Determination of Total Reduced Sulfur Emissions from Stationary Sources (Impinger Technique)
Section 94113	Method 17	Determination of Particulate Matter Emissions from Stationary Sources (In-Stack Filtration Method)
Section 94123	Method 20	Determination of Nitrogen Oxides, Sulfur Dioxide and Oxygen Emissions from Stationary Gas Turbines
Section 94124	Method 21	Determination of Volatile Organic Compound Leaks

Need for Proposal

The proposed revised test methods reflect improvements in emissions sampling and laboratory analysis techniques, introduce more complete quality assurance procedures, and make ARB methods more compatible with the applicable United States Environmental Protection Agency (U.S. EPA) test methods, addressing a number of issues raised by the U.S. EPA with respect to ARB test methods. To provide more consistent testing requirements throughout the state, staff revised the ARB methods to require that modifications be approved by the Executive Officer of the ARB, and not by a district. Districts continue to have the option to adopt their own test methods.

The proposed new and amended source test methods were subject to public comments at a workshop held on April 14, 1998. There were no major comments except regarding the change from district approval of test method modifications to State approval. The district's concern is that timely method modification approvals could not be obtained from the ARB when field conditions produce unexpected situations. Staff's response is that verbal responses to method modification requests faxed to ARB are already being made the same day of the request where an

immediate response is needed to decide if testing should be allowed. The verbal decision is followed by a written ARB response documenting the ARB action. This arrangement has worked well for the last several years.

No adverse environmental impacts are expected from adoption of the proposed regulatory action.

Comparable Federal Regulations

Comparable test methods have been adopted by the U.S. EPA for the twenty proposed amended ARB source test methods under consideration in this rulemaking. The proposed amended ARB test methods are consistent with the applicable U.S. EPA test methods. However ARB methods contain necessary additional and complimentary provisions not in U.S. EPA methods, such as procedures for determination of excess air in ARB Method 3 and alternative procedure using Tutwiler apparatus in ARB Method 16A. Finally, ARB methods are needed for determining compliance with district regulations and are often referenced in district rules. Where no test method is specified by a district regulation, an ARB method may be applicable by default. The U.S. EPA test methods that are comparable to the proposed amended ARB methods are listed below:

1. EPA Method 1, Sample and Velocity Traverses for Stationary Sources, CFR 40, Part 60, Appendix A.
2. EPA Method 2, Determination of Stack Gas Velocity and Volumetric Flow Rate (Type S Pitot Tube), CFR 40, Part 60, Appendix A.
3. EPA Method 2A, Direct Measurement of Gas Volume through Pipes and Small Ducts, CFR 40, Part 60, Appendix A.
4. EPA Method 3, Gas Analysis for Carbon Dioxide, Oxygen, Excess Air, and Dry Molecular Weight, CFR 40, Part 60, Appendix A.
5. EPA Method 4, Determination of Moisture Content in Stack Gases, CFR 40, Part 60, Appendix A.
6. EPA Method 5A, Determination of Particulate Emissions from the Asphalt Processing and Asphalt Roofing Industry, CFR 40, Part 60, Appendix A.
7. EPA Method 5E, Determination of Particulate Emissions from the Wool Fiberglass Insulation Manufacturing Industry, CFR 40, Part 60, Appendix A.
8. EPA Method 6, Determination of Sulfur Dioxide Emissions from Stationary Sources, CFR 40, Part 60, Appendix A.
9. EPA Method 8, Determination of Sulfuric Acid Mist and Sulfur Dioxide Emissions from Stationary Sources, CFR 40, Part 60, Appendix A.

10. EPA Method 10, Determination of Carbon Monoxide Emissions from Stationary Sources, CFR 40, Part 60, Appendix A.
11. EPA Method 11, Determination of Hydrogen Sulfide Content of Fuel Gas Streams in Petroleum Refineries, CFR 40, Part 60, Appendix A.
12. EPA Method 12, Determination of Inorganic Lead Emissions from Stationary Sources, CFR 40, Part 60, Appendix A.
13. EPA Method 13A, Determination of Total Fluoride Emissions from Stationary Sources (SPADNS Zirconium Lake Method), CFR 40, Part 60, Appendix A.
14. EPA Method 13B, Determination of Total Fluoride Emissions from Stationary Sources (Specific Ion Electrode Method), CFR 40, Part 60, Appendix A.
15. EPA Method 15, Determination of Hydrogen Sulfide, Carbonyl Sulfide and Carbon Disulfide Emissions from Stationary Sources, CFR 40, Part 60, Appendix A.
16. EPA Method 16, Semicontinuous Determination of Sulfur Emissions from Stationary Sources, CFR 40, Part 60, Appendix A.
17. EPA Method 16A, Determination of Total Reduced Sulfur Emissions from Stationary Sources (Impinger Technique), CFR 40, Part 60, Appendix A.
18. EPA Method 17, Determination of Particulate Matter Emissions from Stationary Sources (In-Stack Filtration Method), CFR 40, Part 60, Appendix A.
19. EPA Method 20, Determination of Nitrogen Oxides, Sulfur Dioxide and Oxygen Emissions from Stationary Gas Turbines, CFR 40, Part 60, Appendix A.
20. EPA Method 21, Determination of Volatile Organic Compound Leaks, CFR 40, Part 60, Appendix A.

Availability of Documents and Contact Person

The ARB staff has prepared a Staff Report on this proposal which includes the initial statement of reasons for the proposed action and a summary of the environmental impacts of the proposed regulatory action. Copies of the Staff Report, the proposed amendments to the California Code of Regulations and the full text of the proposed new and amended test methods, as well as a copy of the current test methods, may be obtained from the Board's Public Information Office, 2020 L Street, Sacramento, CA 95814, (916) 322-2990. The Board's staff has compiled a record which includes all information upon which the proposal is based. This material is available upon request to the contact person identified below.

The ARB has determined that it is not feasible to draft the incorporated test methods in plain English due to the technical nature of the test methods. The Informative Digest of this notice and

Sections V and VI of the Staff Report: Initial Statement of Reasons for the test methods present plain English summaries of the new and existing test methods with revisions. The Staff Report: Initial Statement of Reasons is available from the agency contact person named below.

Further inquiries regarding this matter should be directed to Mr. George Lew of the Board's Monitoring and Laboratory Division, P.O. Box 2815, Sacramento, CA 95812, telephone (916) 263-1630.

Costs to Public Agencies and to Businesses and Persons Affected

The determinations of the Board's Executive Officer concerning the costs or savings necessarily incurred in reasonable compliance with the proposed regulations are presented below:

The Executive Officer has determined that the proposed regulations will not create costs or savings, as defined in Government Code Section 11346.5(a)(6), to any state agency or in federal funding to the state, costs or mandate to any local agency or school district whether or not reimbursable by the state pursuant to Part 7 (commencing with Section 17500), Division 4, Title 2 of the Government Code, or other nondiscretionary costs or savings to local agencies.

The Executive Officer has also determined that adoption of the proposed regulations will not have a significant adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states.

In accordance with Government Code Section 11346.3, the Executive Officer has determined that the proposed regulatory action will not affect the creation or elimination of jobs within California, the creation of new businesses or the elimination of existing businesses within California, or the expansion of businesses currently doing business within California.

The Executive Officer has also determined that the potential cost impact on private persons or businesses directly affected by the proposed regulations will be insignificant, as defined in Government Code Section 11346.5(a)(9).

The Board's Executive Officer has also determined pursuant to Government Code Section 11346.5(a)(3)(B), that the regulations will not affect small businesses because the regulations do not directly impose any requirements on small businesses.

In addition, before taking final action on the proposed action, the Board must determine that no alternative considered by the agency would be more effective in carrying out the purpose of the proposed regulations or would be as effective and less burdensome to affected private persons than adoption of the proposed regulations.

Submittal of Comments

The public may present comments relating to this matter orally or in writing. To be considered by the Board, written submissions must be addressed to and received by the Clerk of the Board, Air Resources Board, P.O. Box 2815, Sacramento, CA 95812, no later than 12:00 noon, August 26, 1996, or received by the Clerk of the Board at the hearing.

The Board requests, but does not require, that 20 copies of any written statement be submitted and that all written statements be filed at least 10 days prior to the hearing. The Board encourages members of the public to bring to the attention of staff, in advance of the hearing, any suggestions for modification of the proposed regulations.

Any party who previously submitted comments on the proposed methods at the April 14, 1998 informal workshop is advised that the comments must be resubmitted to be assured formal consideration by the Board during the comment period.

Statutory Authority and Hearing Procedures

These regulations are proposed under the authority granted in Sections 39600, 39601, and 39607 of the Health and Safety Code. The regulations are proposed to implement, interpret, or make specific Sections 39515, 39516, 39605, 39607, 39666, and 40001 of the Health and Safety Code.

The public hearing will be conducted in accordance with the California Administrative Procedure Act, Title 2, Division 3, Part 1, Chapter 3.5 (commencing with Section 11340) of the Government Code.

Following the public hearing, the Board may adopt the proposed regulations as proposed or with nonsubstantive or grammatical modifications. The Board may also adopt the proposed regulations with other modifications if the amended regulations as modified are sufficiently related to the originally proposed text that the public was adequately placed on notice that the regulations as modified could result from the proposed regulatory action. In the event that modifications are made, the full text of the regulations, with the modifications clearly indicated, will be made available to the public for written comment at least 15 days before it is adopted. The public may request the text of the modified regulations from the Board's Public Information Office, 2020 L Street, Sacramento, CA 95814, (916) 322-2990.

California Air Resources Board

Michael P. Kenny
Executive Officer

Date: